

IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
MANHATTAN DIVISION

-----  
**IN THE MATTER OF**

**CHAPTER 13**

**CARLOS MOTA,  
DEBTOR**

**CASE NO: 10-13989(shl)**

-----X-----

**CARLOS MOTA,**

**Plaintiff**

v.

**AP # 13-01553(ALG)**

**WELLS FARGO BANK, NA, and**

**HSBC BANK USA NATIONAL  
ASSOCIATION AS TRUSTEE FOR  
WELLS FARGO ASSET SECURITIES  
CORPORATION, MORTGAGE  
PASS-THROUGH CERTIFICATES  
SERIES 2006-8**

**NOTICE OF WITHDRAWL**

**Defendants.**

-----X-----

---

**NOTICE OF WITHDRAWAL OF OBJECTION TO CLAIM # 3-1  
AND NOTICE OF WITHDRAWAL of ADVERSARY PROCEEDING**

---

1. The Plaintiff in this case is a Debtor under Chapter 13 of Title 11 of the United States Code in case number 10-13989 (shl) which case was filed on July 24, 2010 and is presently pending before this Court
2. The Plaintiff/ Debtor, Carlos Mota, is the owner of real estate located at 2564 Pearsall Avenue, Bronx, NY 10469.
3. On or about August 19, 2010, Proof of Claim Number 3-1 was filed in the Plaintiff's bankruptcy case identifying the Defendant Wells Fargo Bank N.A. ("Wells Fargo") as

servicer for HSBC Bank USA, National ssociation as Trustee for the Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates Series 2006-8 as the creditor and further identifying Defendant Wells Fargo, as the party to contact for notice purposes. (Hereinafter the "Proof of Claim 3-1" or "Claim Number 3-1")

4. On or about December 8, 2010 the Debtor through counsel filed an objection to Proof of Claim 3-1. (See ECF Doc. No.18)
5. On or about October 15, 2014 the Debtor / Plaintiff through counsel converted the Motion Objecting to Claims to an Adversary Proceeding via filing a complaint. (See ECF Doc. No. 86) Said Adversary Complaint was assigned case number
6. With consent of the Defendants / Respondents, the undersigned hereby withdraws the Debtor's Motion Objecting to Proof of Claim 3-1 and the Adversary Complaint (AP # 13-01553 ).

This the 22nd Day of December, 2014.

RESPECTFULLY SUBMITTED,

/s/ Linda M. Tirelli  
Linda M. Tirelli, Esq.  
Garvey Tirelli & Cushner, Ltd.  
Of Counsel to David Babel, Esq.  
*Attorney for Debtor / Plaintiff*  
50 Main Street, Suite 390  
White Plains NY 10606

/s/ Nicole Schiavo  
Nicole E. Schiavo, Esq.  
Hogan Lovells US, LLP  
875 Third Avenue  
New York, NY 10022  
*Attorney for Creditor/Defendant*